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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,233	10/27/2003	James Victor Cragg	UP2118A-SOT2	2949
30265 7590 02/26/2007 RAYMOND Y. CHAN 108 N. YNEZ AVE., SUITE 128 MONTEREY PARK, CA 91754			EXAMINER MAI, TRI M	
			ART UNIT 3781	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/694,233

Applicant(s)

CRAGG, JAMES VICTOR

Examiner

Tri M. Mai

Art Unit

3781

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 5-20, 22-25 and 27-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 21 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 03/14/06.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

Art Unit: 3781

1. Claims 5-20, 22-25, and 27-30 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention as previously set forth.
2. Claim 1 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Quayle (4241459). Quayle teaches an arrangement having a magazine holder with an inner panel 96, an outer panel 94 having a front operation side overlapped on the inner panel and a divider 106 forming a plurality of slots and a gear carrier 104 provided on the front operational side, means for detachably fastening the holder on the user's body and being warped for fitting a curvature of the user's body such that the outer panel is reinforced to substantially bias against the inner panel via the divider panel 106 as claimed. Quayle meets all claimed limitations except for the plurality of divider. It would have been obvious for one of ordinary skill in the art to provide a plurality of dividers to provide added compartments. Note that duplicating parts is within the skills of one of ordinary skill in the art.
3. Claims 1-2, and 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Orr (1340077) in view of Riess (5968522) or Noriega et al. (5505356) or Tucker et al. (6135333). Orr teaches an arrangement having a magazine holder with an inner panel (8+9+10), an outer panel 16 having a front operation side overlapped on the inner panel and dividers 17 forming a plurality of slots. Orr meets all claimed limitations except for the gear carriers. Riess teaches that it is known in the art to provide a plurality of gear carrier formed by a plurality of webbing straps 32 outside of a pocket. It would have been obvious for one of ordinary skill in the art to provide webbing straps outside of a pocket to enable to carry additional contents.

Noriega also teaches that it is known in the art to provide a plurality of gear carrier formed by a plurality of webbing straps 96, 94 outside of a pocket. It would have been obvious

Art Unit: 3781

for one of ordinary skill in the art to provide webbing straps outside of a pocket to enable to carry additional contents.

Tucker also provide rear carrier 36 in front of a pocket. It would have been obvious for one of ordinary skill in the art to provide webbing straps outside of a pocket to enable to carry additional contents.

Regarding claim 21, the shoulder strap and the sideward strap at 14 meets the claimed limitations as claimed. To the degree it is argued that that the device is not positioned at the chest. It would have been obvious for one of ordinary skill in the art to shorten the shoulder straps to have it positioned at the chest to provide the desired location for the device.

4. Claims 3, 4, and 26 are rejected under 35 U.S.C. 103 (a) as being unpatentable over the Orr rejection as set forth above, and further in view of Batchelder (1340142), or Goldshaw et al. (20020140145027). It would have been obvious for one of ordinary skill in the art to provide the pockets with two strap elements as taught by Goldshaw, or Batchelder at straps 2 and 3 to provide an alternative security means.

Regarding claim 26, note the two straps at 14 sidewardly extended from two side of the magazine holder and the fasteners being provided at two free ends as claimed. To the degree it is argued that that there are no fasteners at the two free ends. Official notice is that it is known in the art to provide fasteners at the two free ends. It would have been obvious to one of ordinary skill in the art to provide fasteners at the two free ends an alternative fastening means.

5. Claims 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr rejection as set forth above in paragraph 3, and further in view of Yergason (1290827). It would

Art Unit: 3781

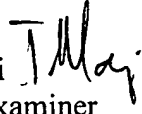
have been obvious for one of ordinary skill in the art to shorten the shoulder straps to have it positioned at the chest, as taught by Yergason, to provide the desired location for the device.

Regarding claim 26, it would have been obvious to one of ordinary skill in the art to provide sidewardly extending body straps at 16 to keep the device secured.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571)272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tri M. Mai   
Primary Examiner  
Art Unit 3781